

**Statement Of Senator Patrick Leahy (D-Vt.),
Ranking Member, Senate Judiciary Committee
Hearing On Oversight Of The Federal Bureau Of Investigation
December 9, 2015**

The Federal Bureau of Investigation is entrusted with the enormous responsibility of enforcing our laws and protecting the nation. No matter what the threat, and no matter what the motivation, the FBI is tasked with helping to keep us safe. On any given day, FBI agents around the country are investigating cases involving not only terrorism, but violent crime, gangs, cybercrime, identity theft, fraud, human trafficking, hate crimes, and child exploitation.

The events of the past six months have underscored the varied nature of the threats the FBI faces, and the key role it plays in protecting against terrorist acts. This past June, nine African American churchgoers were murdered by a white supremacist during a bible study in Charleston. The day after Thanksgiving, three individuals – including a police officer – were shot to death inside a women’s health clinic in Colorado Springs. Last week, 14 county workers in San Bernardino were murdered in a shooting rampage. Director Comey may not be able to share all of the details about these investigations today, but I believe we can all agree that there is one common motivating factor behind each of these heinous crimes: hateful extremism.

These attacks remind us that we need to be vigilant against all forms of violent extremism. No one underestimates the incredibly difficult job of protecting the country from terrorist threats. So we have to support the law enforcement and intelligence officials who work to protect our nation by giving them the tools and resources they need to do their jobs effectively. And as we have heard from many law enforcement officials, we need to continue the hard work of building trust in our communities among neighbors, and with law enforcement, so that we can all share in the responsibility of keeping our communities safe.

At the same time, we must categorically reject the divisive and corrosive rhetoric of fear that only serves to undermine us as a nation. We know what happens when leaders succumb to the politics of fear and lose sight of our fundamental American values. Fear is what drove the government to violate the Constitution and imprison thousands of Americans of Japanese descent during World War II. Fear is what fueled the justification for torture by the CIA, which the Director objected to when he was at the Bush Justice Department. And I know the Director reminds all of his new agents that the rhetoric of fear led J. Edgar Hoover to target Martin Luther King, Jr., and others during the 1960s.

If we give in to this sort of fear, then the terrorists and extremists will have won. They want us to be afraid, and they want us to be a nation divided. Groups like ISIS, for example, actively promote the narrative that Muslims are not welcome in the United States. When there is talk about rounding up all Muslim Americans, or creating a registry based on religious beliefs, or shutting our borders to all Muslims, that is just the sort of xenophobic, hateful rhetoric that plays into our enemies’ hands. It also demeans us as a democratic nation founded on the principles of freedom, equality, and liberty. We are better than that.

We are a courageous and strong country. And our strength comes from our commitment to the morals and principles that continue to keep our country great – and a beacon of democracy in the world. The Senate at its best can be the conscience of the Nation – and recent events demand that we be at our very best. We are not afraid of terrorists, and we should not let our country be defined by irresponsible fear-mongering.

While the focus of today's hearing will naturally be on the recent terrorist attacks, we should continue the Committee's bipartisan oversight of the FBI in other areas. Three years ago, the FBI learned that flawed microscopic hair comparison analysis was used in thousands of criminal prosecutions. I am not satisfied by the FBI's efforts to even notify those defendants who might be affected by the faulty evidence. The FBI should be sending agents out to gather the relevant information. The lives of potentially innocent Americans, including some on death row, depend on it. In addition, I will continue to work with Senator Grassley to ensure that whistleblowers at the FBI are afforded adequate protections.

I thank Director Comey for coming before the Committee today. I know that he shares my respect for the Constitution, and my faith in the American people to rise above the divisive rhetoric of fear.

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